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OFFICE OF PETITIONS

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In re Application of
Chiussi, et al.
Application No. 10/008,425
Filed: November 13, 2001
Attorney Docket No. 23-1-2-11-1

DECISION ON PETITION

This is a decision on the petition under 37 CFR § 1.137(b), filed March 17, 2003, and the renewed petition under 37 CFR 1.137(b) filed March 31, 2003, to revive the above-identified application.

The petition filed March 17, 2003 is **granted**.

The renewed petition filed March 31, 2003, is **moot**.

This application became abandoned for failure to respond in an appropriate and timely manner to the "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") mailed December 31, 2001, which set forth a two (2) month period for reply. No extensions of time under 37 CFR § 1.136(a) were obtained. Accordingly, this application became abandoned on March 4, 2002. A Notice of Abandonment was mailed on February 27, 2003.

Petitioner responded appropriately to the Notice by filing on March 17, 2003, the executed oath or declarations for the remaining named inventors and by remitting the \$130.00 surcharge on March 31, 2003.

The renewed petition filed March 31, 2002, is moot as there is no further remedy that can be provided as the application is being revived pursuant to the petition under 37 CFR 1.137(b) filed March 17, 2003.

The application is being forward to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned, at (703) 305-0010.

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Office of Petitions